

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Missianata abate corporation, berein collect the Company for a valuable consideration, hereby compate to lease the policy or policies of the insurance, as identified in Schedule A, in fever of the proposed insurant masted in Schedule A, as some or morigages to security of interest covered haraby in the land described or referred to th Schedule A, upon payment of the precisions and charges therefor, separat to the provisions of Schedule A and B and to the Conditions and Slipulations hereof.

This Commitment shall be effective only when the identity of the proposed insured and the smount of the policy or policies committed for have been inserted in Schoolse A ferred by the Company, either at the time of the insuress of this Commitment or by subsequent each resemble.

This Commitment is proliminary to the insurance of such policy or policies of the title insurance and all liability and chilipations harmonists after the proliminary than children in the policy or policies committee for shall insure which make the policy or policies to not the built of the Company.

This Commitment shall not be valid or binding until countendance by a religious of entropized .

effunçouk

IN WITHERS WHEREOF, Old Republic National Title Insulance Company has caused in corporate name ed by its duly authorized officed; on the date enough in Schedule A. and seed to be hereunic with

insued by:

PEAL-TIME TITLE

ONE RECUTIVE SOULIVARD - SUIT

SUFFERN, NY LOSOL

(845) 357-7118

(845) 357-3333 Fax

CLU REPUBLIC MATROKAL TITLE DISUNANCE COMPANY

400 Secured Avenue Study, Microscotts, Microscott 65401

(612) 371-1111

maind for largues only. Buch exceptions as may be set forth herein may affect medicability of title, that largue about his scenarios of ignes the contents of title commitment. The Company's representative at the cluster hereinater may not set as legal achies; to vity universals for from, Such representative in permitted to be of essistance only to an alternay, it is achieste to have your attentity pres-

CHIEF PARK REFERENCE

Case 7:07-cv-05739-KMK

Document 59-9

Filed 06/18/2008

12012251050

Page 3 of 21

No. 4038

p.3

呼られ、1、2007年 1:15PM

CONDITIONS AND STIPULATIONS

- 1. The term 'mortgage', when used herein, shall include deed of bust, this i deed, or other security instrument.
- 2. If the proposed insured has an acquired actual knowledge of any disked, lian, encumbrance, actuate chairs or other matter effecting the actual or interest or mortgage the son covered by this Commitment other than those shown in Schedule B hassot, and shall tall to disclose such invasings to the Company is writing. Se Company shall be referred from flability for any lost or damage resulting from any act of referres hereon to the extent the Company is projection; by failure of the programed insured to so disclose each knowledge. If the programed insured shall disclose such knowledge of any such disloct, lion aroundwines, adverse claim or other melter, the Company at its option may amend Schadule II of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously industed pursuant to paragraph 3 of these Conditions and Stipulations.
- a. Liability of the Company under this Commission shall be only to the named proposed insured and such parties included under the definition of insured in the form of paties commissed for and judy to accurate loss incurred in religious herson in undertaking in good faith (a) to comply with the requirements herson or (b) to eliminate exceptions shown in Schodule B, or (d) to acquire to create the entate or interest or martings thereon govered by the Continuous that in my event area such stability scooled the amount stated in Schodule A for the policy or position candidate for and such stability is adjust to the insuring provisions and the Conditions and the Exclusions from covering of the form of policy or positions constituted for in issue of the proposed insured which are hereby incorporated by reference and made a part of this Commisment except as propressly modified herein.
- 4. Any action or extinct or rights of action that the proposed insured may have or may bring against the Company artists out of the status of the title to the estate or interest or the status of the morrossys thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

CLÓSING INFORMATION							
Closed by	Date Closed	Title No					
Closed at the office of							
Parties Prosent:	interest in Transaction:	Address:					
he identity of the parties of	executing and delivering the closin	g instruments was established by					

Case 7:07-cv-05739-KMK

NAHAS1

Document 59-9

Filed 06/18/2008

12012251050

Page 4 of 21

Feb. 1. 2007 1:15PM

No. 4038 P. 4

p.4

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

SCHEDULE A

Proposed Insured:

Title Number: RT-O-1543 Effective Date: 1/16/2006

Redated:

Purchaser:

RICHARD DELISI & CARLA MARIE DELISI

Mortgagee:

INDYMAC BANK, FSB; its successors and/or assigns

as their interests may appear

Amount of Insumnee:

Pec:

\$640,000.00

Mortgage:

\$230,000,00

THIS COMPANY CERTIFIES that a good and marketable title to premises described in Schedule A, subject to the liens, encumbrances and other matters, if any, set forth in this certificate may be conveyed and/or mortgaged by:

BENCHMARK INNOVATIONS, LLC

Source of Title: By deed from ERIC R. KLYVERT dated 2/1/2005 and recorded in the Orange County Clerk's office on 2/8/2005 in Liber 11746 cp 534.

Premises described in Schedule "A" are known as:

Address:

155 ALEXANDER ROAD

GREENWOOD LAKE, NEW YORK, 10925

County:

OREDEE

City:

Village:

Town:

Warwick

58

2 29

District

Section:

Block:

Lots:

FOR ANY TITLE CLEARANCE QUESTIONS ON THIS REPORT, PLEASE CALL:

DONNA LAVERACK AT (845) 357-7118

By deed Hansful lated 3/23/06 to Richard Delisi Carla Morie Delisi

Filed 06/18/2008

p.5 Page 5 of 21

Feb. L. 2007 1:15?M

No. 4038 P. 5

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Schedule A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon exected, altuate, lying and being in the Town of Warwick, County of Orange and State of New York, also being Lot 1.1 as shown on a map emitted "Subdivision ~ Lot 1 Lot Olso Subdivision, Amends Map Loti Gica Subdivision Filed Map #4113 ~ Filed Loti Olso Subdivision, Amends Map Loti Gica Subdivision Filed Map #4113 ~ Filed May 24, 1977", filed in the Orange County Clerk's Office on September 29, 1978, as map marker 4655, and more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the northeasterly boundary of Alexander Road and the northwesterly boundary of Lot 1.2, as shown on said map number 4655, and running thence along the casterly boundary of Lot 1.2 South 19°28' 48" East, a distance of 1025.03 fact to a point along the westerly boundary of lands now or formerly of Kraft;

Therees along the westerly boundary of lands now or formerly of Kraft and continuing along the westerly boundary of lands now or formerly of Goodjins North 14" 50' 35" East, a distance of 950.62 that to a point, said point being the southeasterly corner of lands now or formerly of Perry;

Thence along the southerly boundary of lands now or formerly of Perry North 60° 54° 02" West, a distance of 481.56 feet to a point in the northeasterly boundary of the aforementioned Alexander Road;

Russiang thence along the northeasterly boundary of the aforementioned Alexander Road on a curve to the right having a radius of 150.00 feet and an are langth of 39.05 feet to a point;

Thence continuing along the northeasterly boundary of Alexander Road South 42° 33° 14" West, a distance of 210.30 feet to the point of beginning.

insure

Na. 4038 P. 6

Schedule B

The following matters are to be conceded:

Rights of tenents or persons in possession, if any.

Document 59-9

Taxes, tax liens, tax sales, water rates, sewer rents and assessments set forth herein.

Mortgages returned heroin, detailed statement within.

Covenants, conditions, casements, leases, agreements of record, etc., more fully set forth in Schodule herein.

If the application is for insurance under a master or blanket policy all items under this Schedule B will be excepted from coverage in the Cartificate of Title Insurance to be issued hereon unless disposed of to the satisfaction of the Company on or prior to cloting.

The identity of parties at the closing of the title should be emblished to the autiafaction of the closer and the affidavit attached to this certificate filled out, signed and swom to.

Deeds and mortgages must contain the covenant required by Section 13 of the Lies Law and such coverage must be absolute and not conditional. The soverage is not required in deeds from referees or other persons appointed by a court for the sole purpose of selling property.

When the transaction is an assignment of a mortgage or other lies, an estopple certificate executed by the owner of the fee and by the holders of all subsequent encumbrances must be obtained. When the transaction is a mortgage, the amount actually advanced should be reported to the company.

Defects, liens, encumbeances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date bersof but prior to the date the proposed insured acquires for value of record the estate of interest or mortgage thereon covered by the Commitment.

If this Commitment requires a conveyance of the fee easte and the contract therefore has not been submitted to the Company, it should be furnished for consideration prior to closing.

10.

Fab. 1. 2007 1:16PM

No. 4038 P. 7

SCHEDULE B (CONTINUATION)

Hereinafter set forth are additional matters which will appear in our policy as exceptions from coverage unless disposed of to our satisfaction prior to the closing or delivery of the

A New York (GAP) Endorsement will accompany ALTA policy at closing.

Be advised that a New York Endorsement will accompany the ALTA policy delivered at closing. The (OAP) letter endorsement states that this Company will insure title from the effective date set forth on Schedule A of this report to the date of recording of the insure document. The need for this coverage is derived from the fact that certain County Clerks are 5-6 months behind in posting of documents submitted.

13.

Until a guaranteed and acceptable survey is submitted, Company will not certify as to the location or dimensions of the within described possises on all sides, and will except any state of facts an accurate survey would disclose.

The exact courses, distances, dimensions and location of the premises described in Schedule A cannot be insured in the absence of a satisfactory survey gostenteed to this Company.

Proof by affidavit from the certified owners herein BENCFIMARK INNOVATIONS, LLC is required that there are no ourstanding mortgages affecting the premises herein other than as disclosed in the mortgage schedule attached. (This exception must be complied with due to the convent disarray and/or backlogs in numerous County Clerk Offices in New York State.)

Sements for judgments and federal liens filed in Orange County -vs-BENCHMARK INNOVATIONS, LLC, RICHARD DELISI, CARLA MARIE DELISI, CARLA MARIE RUTIGLIANO show: Nothing found.

A search for bankruptcy proceedings has been conducted in Orange County [Southern District] -vs- the following names BENCHMARK INNOVATIONS, LLC, RICHARD DELISI, CARLA MARIE DELISI, CARLA MARIE RUTICILIANO with the following results: One found.

Pursuant to the Patriot Act, BENCHMARK INNOVATIONS, LLC, RICHARD DELISI, CARLA MARIE DELISI, CARLA MARIE RUTIGLIANO have bosa run under the Office of Foreign Assets Control - Specially Designated Nationals and Blocked Persons on February 22, 2006 with the following needts: Nothing found.

12012251050

Filed 06/18/2008

Feb. 1. 2007 1:16PM

No. 4038 P. 8

18. 19.

21.

Satisfactory proof is required that BENCHMARK INNOVATIONS, LLC, RICHARD DELISI, CARLA MARIE DELISI CARLA MARIE RUTIGLIANO have been known by no other names for ten years last past.

All parties attending the closing most present satisfactory photo identification.

Due to the high number of dishonored checks, this Company will no longer accept uncertified funds over \$500.00, including Lender's checks.

For Information Only: Please be advised that several counties are experiencing trapproachemed recording delays. Unfortunately, despite this Company's best efforts to record documents in a timely fushion, we ultimately have no control over the backlog of recordings in each county. Although this commitment reflects accurately the status of the county's records as of its certification date, other documents may have been submitted for recording which do not yet appear in the public record. If you are aware of any documents which are pending for recordation, you must notify this Company as soon possible, so that additional exceptions might be raised. The failure to notify this Company may constitute an "act of the insured" thereby violating, in whole or in part, the coverage afforded by this policy.

For Information Only: Although this Company will use its best affirsts to record instruments promptly, no liability is assumed for penalties and interest under Section 1416 of the Tax Law due to the inability to file transfer tax returns or pay taxes within the time toquired.

22. Any closing involving a mortgage given to MERS, as either mortgages or solely as nomines of a lender, must be referred to the Company for closing approval. Note: Additional documents may be required.

In the event the mortgage being insured herounder is to be easigned to Mortgage Electronic Registration System, Inc. Policy will except any burn, loss or damage to the actual leader arising or resulting from the refusal of the County Clark or Register of the City of New York to record the mortgage referenced above or to index such mortgage against MERS.

23. Subject to Right of Way in Liber 2091 page 963.

Proof is required as to the following with regard to *, a Limited Liability
Company.

Proof of due formation:

i) proof of filing of the Articles of Organization with the Secretary of State; and

Fab. 1. 2007 1:16PM

No. 4038 P. 9

 ii) proof of publication of the Articles of Organization (or a notice containing the substance of the articles);

Articles of Organization and Operating Agreement must be produced and passed upon; additional exceptions may be raised upon review of same;

Proof by affidevit is required that there has been so change in the makeup or composition of the organization, and that there have been so emendments made to the Articles of Organization I or Operating Agreement;

Proof is required that the party or parties executing instruments on behalf of the Organization have authority to act;

Proof of payment of New York Sume Annual fees (see Tex Law Section 658-e);

Subject to notes, conditions, essements, set-backs as shown on filed map #4655



Ba NAHAS1 Case 7:07-cv-05739-KMK Do

Document 59-9

Filed 06/18/2008

12012251050

Page 10 of 21

Feb. 1. 2007 1:16PM

No. 4038 P. 10

p.10

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Tide No. RT-0-1531

MORTGAGES

Disposition:

None of record.

Day of the second of the secon

This title report does not show all the terms and provisions of the mortgage(s) set forth herein. Interested parties should contact the holder(s) thereof to assertain the terms, covenants, and conditions contained therein, and to determine if there are any unresorded amendments or modifications thereto.

12012251050

Filed 06/18/2008

Page 11 of 21

Feb. 4. 2007 1:16PM

Document 59-9

No. 4038 P. 11

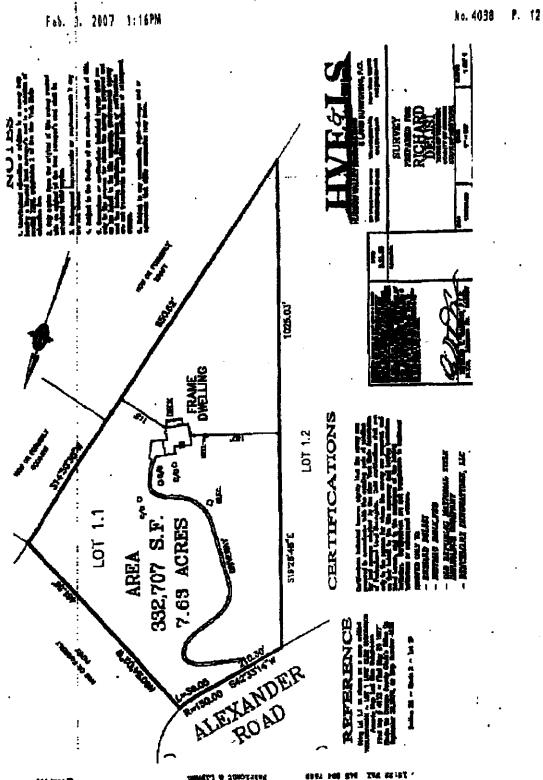
p.11

SURVEY READING

Survey prepared for Richard Delisi, Town of Warwick, County of Orange, State of New York, made by Hadson Valley Engineering & Land Surveying, P.C., dated 3/21/06 shows:

Frame dwelling with dack at rear, steps at front and driveway from northerly and of dwelling to Alexander road. Also shows a well West of dwelling, electric box North of dwelling, and three 'clean-outs' for septic system North of dwelling.

No encroachments, no variations.



1. 2007 1:16PM

No. 4038 P. 13

TITLE NO. 8371-1543 TH

ABSTRACTERS' INFORMATION SERVICE. INC. 1311 MARCUS AVENUE - SUITE MESIA LANG SILLERS, N.Y. 11642

PHONE (\$16) 918-4600 FAX (\$16) 918-4840

ORANGE COUNTY TAX BEARCH

DATE MUSICS

PREMISES: 155 ALEXANDER BOAD, WARWICK

TOWN OF WARWICK

ARRESTED OWNER: BENCHMARK DANOVATIONS LLC

AREBERED VALLES TOWN

33990/15100

TAX CLASSIFICATION: 314

SD: GREENWOOD LAKE SECTION: SE BLOCK: 1 LOT: 29 RETURNS

MC:SE MOCK: 2 10Ti 29

2006 TOWN/COUNTY TAX PERIOD 1/1-12/31 FULL TAX SCHOOL PAID DUE LA

2006/2006 SCHOOL TAX PERSON 7/1-6/30 MAL TAX \$2,06521 PAID DUE 9/1

WATER - MUNICIPAL

NOTE: UP-TO-DATE SILL OR RECEIPT MUST BE PRODUCED AT CLOSING, SUBJECT TO PRICE WATER-SEWER CHARLES NOT EXTERED AND SUBSEQUENT WATER CHARGES ESICE DATE OF EAST READING.

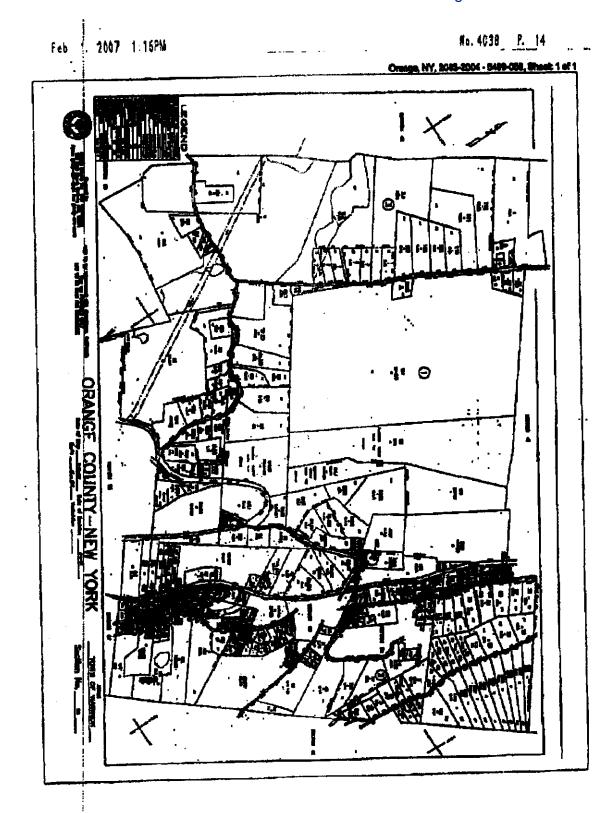
SUBJECT TO CONTINUATION PRIOR TO CLOSING.

APPEARUT SECULD BE TAKEN AT CLOSING THAT OWNER, KAS NOT RECEIVED NOTICE OF SPECIAL ASSESSMENT O.E. STREVALK REPARE, LOT CLEARANCE, OR BENDENCY ASSASSMENT DATES ACCORDED FOR THAT OF SECULD HOTELS, YAL DISCONTINUE ACCORDED FOR THAT WITH THE APPROPRIATE MERICIPALITY.

MAT VARY AMBILILLY, PLEASE CONFIRM DER HATES WITH THE APPROPRIATE MERICIPALITY.

PARCISCORE NOT CHARAPTER AGRICULTEMS NOT A LIEU UP TO THE DATE LICONIL BOALS OF THE LITERS INTURNED MAY HAVE BEEN PAID BUT OFFICIALLY POINTED. RECEIPTE FOR SUCH ITERS MODIFIC BE REQUISED AT CLOSING. MARCH DOES HOT GUARANTES AGAINST CLASS SERRICING FROM LEVIES OF RESTORED BUNCH. MARCH DOES NOT CHARANTES FOR ARREADS PLED AGAINST ANY MAME CHARACTERS THAN THE ISLESSORED SUMMER AS SHOWN ABOVE. THIS STARCE IS PREPARED EXCLUSIVELY FOR AGEINT L. BRIDA, P.C. 400 AGOIS, 0571-13-50

Page 1 of 1



63/49.b. 1. 2007 1:16PMS 294 7889 Februcant & Lipman

Ho. 403B P. 15#/002

83/15/2006 11:10 719-784-6545

FDNY

PASE 82/83

TOWN OF WARWICK BUILDING DEFARTMENT 131 KINGS HICHWAY WARWICK, NEW YORK 10990 (845) 986-1127

CERTIFICATE OF OCCUPANCY

Cartificate of Occupancy & 00006619

CO Date: 3/13/2006

Building Parmit#: Q401.6076

3300米 约-2-29

Location 155 ALEXANDER RD

TIME CHATTERIES that the structure described betale, conforms substantially to the approved plane and specifications becausers filed in this office with Application for Building Parmit duted: 3/28/2005, purposed to which Building Parmit was issued, and conforms to all the populationals of the applicable provisions of the law.

HALL TYPE ONE FAMILY RESIDENCE

Description of Construction

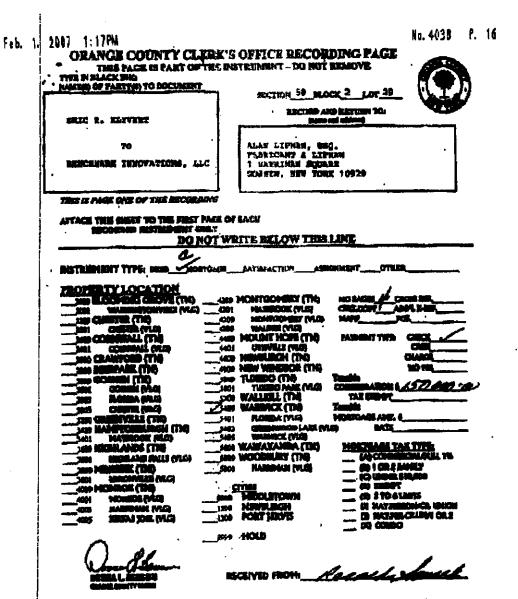
ONE-FAMILY - OWNER ALSO AGREES TO CONFORM TO THE RIDGELINE OVERLAY DISTRICT REGULATIONS WHICH ALSO INCLUDES EXTERIOR LIGHTING DESIGN CRITERIA

Lance Let

This cardifficate is insued to: BENCEDIABLE INNOVIATORS, LLC. for the effermulate structure.

er dilicate of Opengantsy will be bound only riter atticaving or other competent evidence is not given an expensive that the samplestes of the enterruption is in compliance with the final limiting in the province, and in confermity with with other laws, ordinares or regulations effecting the province, and in confermity with our expensions. A decidential, ploubly, bearing or controllers continue on the confidence of Occupancy).

This Confidence of Courses only in fire internal cords on increment and record incoming progress only, province to the Confidence of Courses only in fire internal cords on increment and records. This contidents is install solds outline to the Thorn, and done not imply neopling to this all coulds. No personal building personal specialists of the Thorn, and done not imply neopling to this all coulds. No personal forms of Thorn amplitudes to confident on personal principles of the Course of the Course such and the Course of the Cou



Councy Clerk MENGE COUNTY, NY

PTIME & RESCRICTAGE PER BS34
RESCRIPTION FEED RET. DO
TTXV BETTERS T TYRK SOO, US
RESCRIPTION T TYRK SOO, US

كالأزوالا فلتناسيه بمرات

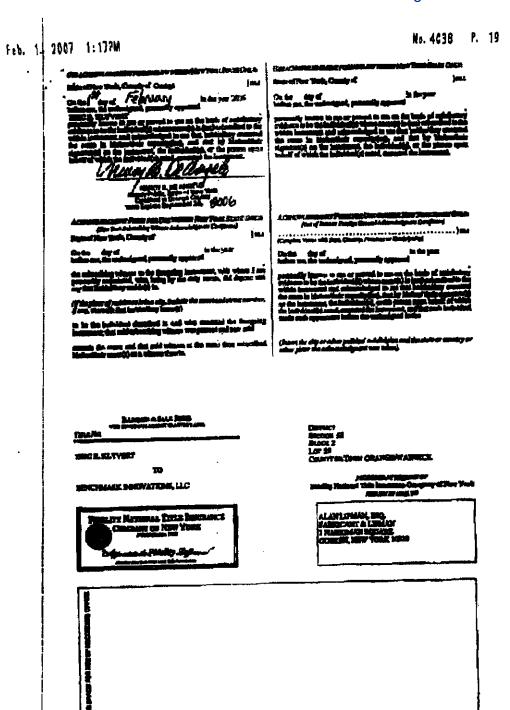
HEATTACHED MCHODULEA"

Feb. 1. 2007 1:179M

No. 4036 P. 18

The policy to be issued under this report will insure the title to the giranteer which by law constitute and property:

FOR CONVEYANCING ONLY:
TOGETHER with all the right, title and interest of the pasty of the first pasty, of, in and to the land lying in
the eject in front of and adjusting said premises.



F	eh. 1	1. 2007 1:17PM					THE STATE OF THE		No. 4038 P. 20				
. 61.0	awa :	OCUM							•				
	eliderit :	1		Doed					.	1			
		Contract	_	Edenation Ag				Mor] .			
	• -	Marigago	_	Estoppe Cert	Ficatee			Ben	s or Nain []			
8	brakterb (Gordweet		Owner 🗀	Lienor		Candlerd 🔲	Sad	Auden , C	ı · ·			
	MATTERS TO BE DISPOSED OF SUBSEQUENT TO CLOSING												
r	TEMS	IS TO BE RECEIVED BY MAIL					NOTICES TO THE STATE BY MAIL						
] 3	d	() leases	- martgut			Notice in		dete	4			
		OI	•				Tex Collector						
				floak	•		Mortgague						
	i						Terante Rent Office	_					
		nonia repo					Dept. of Bidgs.			-			
_							Insurance Cos.						
•							Others						
	į					_							
	Ì												
					· · · · · · · · · · · · · · · · · · ·					<u></u>			
ITEM	от са	er Pom	T GEGRAN	O CLIENT a malad									
deed		Ω_			. <u>.</u>	Other:							
mortg	- i	0							····				
bond (er note	□ _			with.				<u> </u>				
Title p	ole;	-											
Ins. Pr	yoloy	-			_								
	i												
	į												
	i				,								

